

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

228

**Crl. Misc.M-32130 of 2018
Date of Decision: 03.08.2018**

Rinku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.Yashpal Thakur, Advocate
for the petitioner.

Mr.P.P.Chahar, DAG Haryana

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.1162 dated 27.11.2017, under Sections 363, 366-A of Indian Penal Code (Sections 420,467,468,471 IPC and Section 4 of POCSO Act, 2012 and 8/10 of Child Marriage Restraint Act, added later on) , registered at Police Station Sadar, Karnal, Haryana.

Learned counsel for the petitioner contends that the petitioner herein and the prosecutrix i.e.daughter of the complainant solemnised the marriage and sought protection from District Courts, Karnal. However, her parents appeared in the said proceedings and informed the Court that she was a minor with the date of birth as 04.10.2001. Learned counsel for the petitioner contends that in the initial statement recorded under Section 164 Cr.P.C., the prosecutrix had categorically supported the case of the petitioner by stating that she had left on her own accord. Learned counsel

for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 08.12.2017 and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 08.12.2017, and the challan has been presented, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

(JAISHREE THAKUR)
JUDGE

03.08.2018
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Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No